

The Lakewood Township Committee held a Virtual Meeting on September 15, 2022, at 5:30 PM, with the following present:

Mayor..... Raymond Coles
Deputy Mayor..... Menashe P. Miller

Committee Members..... Meir Lichtenstein
Michael D’Elia
Albert Akerman

Municipal Manager..... Patrick Donnelly
Municipal Attorney..... Steve Secare, Esq.
Harold Hensel, Esq.

Municipal Clerk..... Lauren Kirkman

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, and published on the Township’s website as well as in the Star Ledger on January 5, 2022. The public was invited to participate prior to the meeting by emailing premeetingcomments@lakewoodnj.gov. The public was invited to participate during the meeting via comments@lakewoodnj.gov or by using Cisco’s Web-Ex by either phone (audio only) or computer (audio/visual). The Meeting ID#/Password was 2633-703-5921. This meeting as advertised was broadcast live and recorded through on Townhall Streams at <https://townhallstreams.com/>

ROLL CALL –Present: Mayor Coles, Deputy Mayor Miller, Committeeman Lichtenstein, Committeeman D’Elia, and Committeeman Akerman.

Absent: None

Also present: Township Attorney: Steven Secare; Attorney: Harold Hensel, Township Manager: Patrick Donnelly and Township Clerk: Lauren Kirkman.

SALUTE TO THE FLAG AND PRAYER

Mayor Coles opened the regular meeting at 5:30 p.m.

**MOTION TO APPROVE MINUTES:
REGULAR MINUTES AUGUST 18, 2022.**

Motion by Committeeman Akerman, seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D’Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion carried to approve minutes.

DISCUSSION:

None

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Mayor Coles asked to remove resolution 2022-0338, regarding the towing licenses from the agenda.

Mayor Coles asked for a motion to adopt the consent agenda Resolutions 2022-318 through 2022-345, excluding resolution 2022-0388.

Motion by Deputy Mayor Miller
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Mayor Coles asked for a motion to carry Resolutions 2022-0388 to the November 10 meeting.

Motion by Deputy Mayor Miller
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion carried to carry Resolution 2022-0388 to the November 10, 2022 meeting.

Consent Agenda:.

2022-318	Releasing The Maintenance Guarantee Posted By Construction Depot, LLC In Connection With SD #1558 (Sunset Rd), Block 75, Lot 14
2022-319	Releasing The Maintenance Guarantee Posted By Bourbon Place, LLC. In Connection With SD #2027B (Bergen Avenue), Block 246, Lots 25-28, 36, 37 & 38
2022-320	Releasing A Performance Guarantee Posted By Park Lot, LLC. (Former Developer Mark Properties LLC), In Connection With SD 2125 (Providence Ave) Block 1051.09 Lot 4
2022-321	Releasing A Performance Guarantee Posted By 570 Ocean, LLC In Connection With ZB #4090 (Ocean Ave) Block 538, Lots 13, 14 & 42
2022-322	Reducing The Performance Guarantee (First Reduction) Posted By Sweet Salem, LLC In Connection With ZB #4029 (Gates Ave), For Block 1159; 1159.04, Lots 31.01 & 33; 29.02
2022-323	Authorizing The Execution Of An Agreement With AFSCME District Council 71 Local 3790
2022-324	Authorizing UEZ Project Lakewood Shuttle Liaison
2022-325	Authorizing The Insertion Of A Special Item Of Revenue Into The 2022 Municipal Budget For Funding Of UEZ Business Customer Web Portal
2022-326	Authorizing The Insertion Of A Special Item Of Revenue Into The 2022 Municipal Budget For Funding Of UEZ Financial Assistance Program VIII
2022-327	Authorizing The Insertion Of A Special Item Of Revenue Into The 2022 Municipal Budget For Funding Of Municipal Alliance Agreement FY 2023
2022-328	Authorizing The Insertion Of A Special Item Of Revenue Into The 2022 Municipal Budget For Funding Under US Department Of Treasury American Rescue Act of 2021 for 2022 Allocation
2022-329	Authorizing The Insertion Of A Special Item Of Revenue Into The 2022 Municipal Budget For The Funding Of Drive Sober Or Get Pulled Over 2022
2022-330	Authorizing The Purchase Of Mulch For Lakewood's Playgrounds Pursuant To And In Accordance With N.J.S.A. 19:44a-20.5 Et Seq
2022-331	Authorizing The Insertion Of A Special Item Of Revenue Into The 2022 Municipal Budget For Funding Of UEZ Project 2022-2 SGF Lakewood Shuttle Liaison
2022-332	Authorizing The Use Of A National Cooperative Contract For The Purchase Of An Upgrade For Its Mobile311 Service Pursuant To And In Accordance With P.L. 2011, c.139
2022-333	Authorizing The Purchase Of Hydraulic Fittings And Hoses For Public Works Trucks Pursuant To And In Accordance With N.J.S.A. 19:44A-20.5 Et Seq.

2022-334	Awarding A Professional Services Contract To Colliers Engineering And Design For The Preparation Of A Bid Specification And Its Administration As Well As Construction Supervision Of Ridge Ave (Cr 623) Sidewalk Improvements
2022-335	Authorizing Member Participation In The Bergen County Cooperative Pricing System Pursuant To And In Accordance With N.J.S.A. 40a:11-11(5)
2022-336	Authorizing The Municipal Building Door Renovation Project Pursuant To And In Accordance With N.J.S.A. 19:44A-20.5 et seq.
2022-337	Accepting A Bid For The Private Land Sale Of Block 251.01, Lot 32.25 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40a:12-1 Et Seq
2022-338	REMOVED FROM AGENDA - NOT ADOPTED – CARRIED UNTIL NOVEMBER 10, 2022
2022-339	Authorizing A Refund Based On A Tax Court Judgment For Block 1235 Lot 36
2022-340	Authorizing A Refund Based On A Tax Court Judgment On Block 74 Lot 8
2022-341	Authorizing The Tax Collector To Refund A Double Payment On Block 1248 Lot 321.03
2022-342	Authorizing The Tax Collector To Refund An Overpayment On An Exempt Parcel Known As Block 174 Lot 20.02
2022-343	Canceling Taxes & Authorizing A Refund Pursuant To N.J.S.A 54:4-3.32
2022-344	Execution Of An Agreement With Local 71, Policemen’s Benevolent Association
2022-345	Awarding A Professional Services Contract To And Authorizing The Appointment Of Matthew Borriello, Esq., Of Levin Shea Pfeffer And Goldman As Alternate Municipal Prosecutor

ORDINANCES FOR FIRST READING-

Clerk Kirkman read the following Ordinance by title only:

2022-042 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40A:21-1 Et. Seq., Granting Abatement Of Local Property Taxes To Cedarbridge Properties, LLC For Facilities Located At Block 1608, Lot 2.01 And Authorizing The Mayor And/Or His Designee And Township Clerk To Execute Any And All Documents Necessary And Proper To Enter Into A Tax Abatement Agreement

Mayor Coles asked for a motion to introduce ordinance 2022-042.

Motion by Committeeman Akerman
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion Carried to introduce Ordinance 2022-042 with a public hearing on **October 20, 2022**.

Clerk Kirkman read the following Ordinance by title only:

2022-043 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing the Tax Collector to Cancel any And all taxes for the tax years 2021 and 2022 due on Block 112, Lot 5, Qualifier X owned by Beth Medrash of Asbury Park, Inc. Pursuant to and in accordance with N.J.S.A. 54:4-3.6c

Mayor Coles asked for a motion to introduce ordinance 2022-043.

Motion by Committeeman D'Elia
Seconded by Committeeman Akerman

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion Carried to introduce Ordinance 2022-043 with a public hearing on **October 20, 2022**.

ORDINANCES FOR SECOND READING-

Clerk Kirkman read the following Ordinance by title only:

2022-037 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Authorizing The Exchange Of Certain Municipal Lands Known As Block 1107 Lot 1 For Certain Lands Known As Block 1120 Lot 4 And Block 1136 Lot 7 In The Township Of Lakewood, County Of Ocean, State Of New Jersey, Pursuant To N.J.S.A. 40a:12-16 Et Seq

Mayor Coles opened the public hearing on ordinance 2022-037.

From: Shaya Stern

Subject: [External] Ordinance for Second Reading - Land Swap

Hi Mayor and Committee,

I am writing regarding the proposed land swap of Township land with land owned by Yoseif Oppen.

Last month you agreed to carry this matter until today's meeting as I had submitted an OPRA request for documents related to this land swap and I was still waiting to receive those documents.

I greatly appreciate your courtesy to me.

I have reviewed the documents.

I understand that the Township parcel has both a conservation deed restriction and wetlands.

At the same time, I note that it is assessed at \$195,000.

I saw that Mr. Hensel asked Mr. Oppen what he proposes to do with this property.

Question - Did Mr. Oppen respond? What is he planning on doing with this parcel?

Something doesn't add up and I hope you can give me clarification.

Yes, I do understand that the Township stands to gain as you will combine Mr. Oppen's lots with other nearby Township lots for open space or other public use.

However, I do not understand what Mr. Oppen stands to gain here.

I do note that Mr. Oppen owns what appears to be a build-able lot adjacent to the Township lot, however, per the deed restriction, the Township lot even can not be used as part of the required open space calculation.

If the parcel is indeed completely not build-able, why would Mr. Oppen pay \$58,000 plus give you his 2 pieces of property for a non build-able lot? That is a ton of money for "nothing".

If the parcel is somewhat build-able, please be transparent here: How big and how build-able is it?

One more question, if you'd be so kind. I saw in the Non-contiguous Cluster Zone ordinance that some lots are for "development" and some lots are for "preservation". Can you explain this time? Are some lots which have conservation deed restrictions develop-able, or do they need to fully preserved?

Thanks so much for your assistance!

Shaya Stern
Pine Street resident

Mayor Coles noted that Attorney Harold Hensel had reviewed this matter and the requestor was well aware that this property was for tree save and could not be built upon.

Seeing no further comment, Mayor Coles asked for a motion to adopt Ordinance 2022-037.

Motion by Committeeman Lichtenstein
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion Carried to adopt Ordinance 2022-037 after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2022-038 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI Entitled "Traffic" Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Section 11-10 (Stopping Or Standing-S. Clifton Ave.)

Mayor Coles opened the public hearing on ordinance 2022-038.

Seeing no comment, Mayor Coles asked for a motion to adopt Ordinance 2022-038.

Motion by Committeeman Akerman
Seconded by Deputy Mayor Miller

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion Carried to adopt Ordinance 2022-038 after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2022-039 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Amending And Supplementing Chapter XI Entitled “Traffic” Of The Revised General Ordinances Of The Township Of Lakewood, Specifically Section 11-10 (Stopping Or Standing- Clover Street At Laurel Ave

Mayor Coles opened the public hearing on ordinance 2022-039

Seeing no comment, Mayor Coles asked for a motion to adopt Ordinance 2022-039.

Motion by Deputy Mayor Miller
Seconded by Committeeman D’Elia

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D’Elia, Committeeman Lichtenstein, Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion Carried to adopt Ordinance 2022-039 after public hearing and second reading.

Clerk Kirkman read the following Ordinance by title only:

2022-040 Ordinance Of The Township Of Lakewood, County Of Ocean, State Of New Jersey, Releasing, Extinguishing And Vacating The Rights Of The Public To A Portion Of A Street Known As Wynatt Street, In The Township Of Lakewood

Mayor Coles opened the public hearing on ordinance 2022-040.

From: Shaya Stern

Subject: [External] Ordinance for Second Reading - Wynatt Street vacation

Hi again,

I have a question regarding the Wynatt Street vacation which is up for second reading.

I previously submitted an OPRA for the correspondence from the applicant seeking this road vacation, as well as the letters of favorable recommendation from the Planning Board Administrator and Township engineer regarding this vacation request.

The clerk responded with the favorable recommendation letters, but advised that there was no correspondence from the applicant who is seeking this road vacation.

Can you tell me who requested this vacation and what purpose it is for?

Thanks again,

Shaya Stern
Still a Pine Street resident

Mayor Coles noted that attorney Harold Hensel had reviewed the matter and the request was made orally by a neighboring resident to utilize the property as part of a parking lot.

Seeing no further comment, Mayor Coles asked for a motion to adopt Ordinance 2022-040.

Motion by Deputy Mayor Miller
Seconded by Committeeman D'Elia

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Motion Carried to adopt Ordinance 2022-040 after public hearing and second reading.

CORRESPONDENCE- None

MOTION TO APPROVE BILL LIST: Dated September 15, 2022.

Mayor Coles asked for a motion to approve the bills list of September 15, 2022.

Motion by Deputy Mayor Miller
Second by Committeeman Lichtenstein

On Roll Call:

Affirmative: Committeeman Akerman, Committeeman D'Elia, Committeeman Lichtenstein,
Deputy Mayor Miller and Mayor Coles.

Abstain: None

Absent: None

Bill List of September 15, 2022 was approved.

PUBLIC COMMENTS

The public was invited to participate prior to the meeting by emailing premeetingcomments@lakewoodnj.gov. The public was invited to participate during the meeting via comments@lakewoodnj.gov or by using Cisco's Web-Ex by either phone (audio only) or computer (audio/visual).

Mayor Coles opened the meeting to the public:

Mayor Coles noted the below email from earlier in the day.

From: Mordechai Schwartz
Subject: [External] Public comment

Good afternoon Mayor Coles and Committee,

I am writing regarding parking requirements.

It has been over 5 years since the Township Committee, at the urging of the Planning Board, last increased the parking requirements for new office buildings from 1 space per 300 sq feet of gross floor area to 1 space per 250 sq feet of gross floor area.

Since that time, numerous new office buildings have been built and they all have insufficient off-street parking, which leads to congesting local roadways with overflow on-street parking.

I am therefore asking the Committee to again amend the parking requirement. Surrounding towns require 1 space per 200 sq feet for office buildings. It is time for Lakewood to crank things up to that as well. The same way developers can afford to build office buildings at that parking requirement in surrounding towns, they can afford to build the same in Lakewood.

On a similar topic, approximately 2 years ago the Committee adopted an ordinance requiring 1 parking space for every patron in banquet halls which are built in hotels in the Cedarbridge Corporate Campus. At the time the Committee members stated that they would like to adopt a similar ordinance for banquet halls all over town.

I'm sure you are aware of how neighbors feel when a banquet hall is built on their block. It ends up being a nightmare with no one getting along anymore due to all the congestion and lack of parking.

Although congestion is more difficult for the Township to improve over night, parking requirements are something you can easily begin to require.

I urge the Committee to sit down and set proper and fair parking requirements for banquet halls in all zones!

Thank you for reading my email.

Mordechai Schwartz
325 7th Street, Lakewood

From: a

Subject: [External] Public comment DPW pick up

Dear Mayor and Committee members,

The DPW garbage trucks have been picking up garbage in developments at hours when people are sleeping. Sometimes the trucks come around late at night or in the early hours starting from 5am on shabbos morning when everyone is asleep. The truck makes a lot of noise picking up the huge bins and wakes people up. Last year sukkos the trucks have also come by very early while people are sleeping, my elderly parents were awakened at 5am as the truck roared through the neighborhood. Can anything be done to have them come around later in the day especially on holidays when there is no traffic.

Thank you.

AvI Gordon
Central Avenue Lakewood, NJ

Mayor Coles explained that often when DPW staff go to the streets to find dumpsters and pails blocked by cars which causes DPW to have to return again. For all later shifts they have to go back again and if it is still blocked, they have to return a third time. It would be hopeful if neighbors could tell their other neighbors not to block the dumpsters. Mayor Coles noted

Seeing no further comments, Mayor Coles closed the public comment portion:

COMMENTS FROM COMMITTEE MEMBERS –

Committeeman D’Elia had no comments.

Committeeman Akerman noted that perhaps the Township could identify more streets that could be designated to help traffic flow through the area.

Committeeman Lichtenstein had no comments.

Deputy Mayor Miller had no comments.

Mayor Coles thanked the Deputy Mayor Miller for his leading the charge on the traffic issue.

CLOSED SESSION: Attorney Secare advised there was no need for executive session.

ADJOURNMENT

Motion by Committeeman Akerman, second by Deputy Mayor Miller, with all in favor to adjourn the meeting. Meeting adjourned at 5:48 PM.

Lauren Kirkman, RMC, CMR
Township Clerk